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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ROBIN P. POGUE,

Plaintiff

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant

Case No.: 2:17-cv-00251-APG-GWF

**Order Accepting Report and
Recommendation, Denying Motion to
Reverse or Remand, and Granting Motion
to Affirm**

[ECF Nos. 20, 23, 27]

On April 26, 2019, Magistrate Judge Foley recommended that I deny the plaintiff's motion to reverse or remand and grant the defendant's motion to affirm. ECF No. 27. Plaintiff Robin Pogue did not file an objection. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those portions of the report or specified proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)).

IT IS THEREFORE ORDERED that Magistrate Judge Foley's report and recommendation (**ECF No. 27**) is **accepted**, the plaintiff's motion for reversal or remand (**ECF No. 20**) is **DENIED**, and the defendant's motion to affirm (**ECF No. 23**) is **GRANTED**. The clerk of court is instructed to enter judgment in favor of the defendant and against the plaintiff.

DATED this 15th day of May, 2019.


ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE